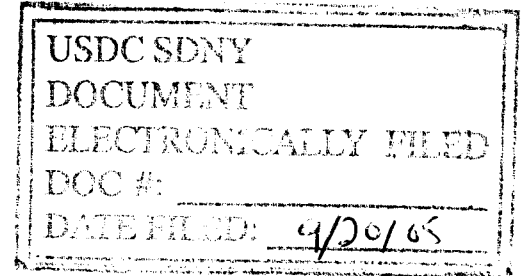


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September 19, 2005

BY FACSIMILE (212) 805-7902

Honorable Deborah A. Batts
United States District Judge
United States District Court
for the Southern District of New York
500 Pearl Street
New York, New York 10007

Re: U.S. v. JORGE ORTIZ, 04 Cr. 632 (DAB)

Dear Judge Batts:

I was the attorney of the defendant Jorge Ortiz in the above-referenced matter, having been appointed by your Honor, pursuant to the provisions of the Criminal Justice Act, 18 U.S.C. §3006A, to replace retained counsel. On August 23, 2004, Mr. Ortiz pled guilty, before your Honor, to six (6) counts of Hobbs Act Robbery, and one (1) count using or carrying a firearm in relation to a crime of violence, pursuant to a plea agreement. On November 30, 2004, Mr. Ortiz was sentenced by your Honor to one hundred and sixty-two (162) months of imprisonment. One April 28, 2005, Mr. Ortiz filed a *pro se* Notice of Appeal. On August 2, 2005, the Court struck as untimely Mr. Ortiz's "*nunc pro tunc* Notice of Appeal." The purpose of this letter is to request respectfully that I be relieved as Mr. Ortiz's attorney.

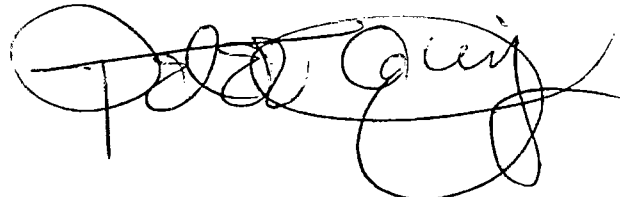
Honorable Deborah A. Batts, U.S.D.J.
September 19, 2005
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Mr. Ortiz's plea agreement was the result of months of negotiations with the government, during which I met with Mr. Ortiz on a regular basis in order to explain the developments in the plea negotiations, and then to fully explain the final plea agreement. The agreement contained a provision by which Mr. Ortiz waived his right to appeal should he receive a sentence "within or below the stipulated Sentencing range of 162 to 181 months..." (Page 6 plea agreement). After Mr. Ortiz was sentenced to the lowest end of the stipulated range, I met with Mr. Ortiz at the Metropolitan Detention Center-New York, during which, he confirmed that he did not wish to file an appeal, and that he understood that he had waived that right.

Recently, I was informed by the United States Court of Appeals for the Second Circuit that in order for them to prepare the index for the record on appeal, the district court must relieve me as CJA counsel. Accordingly, it is requested respectfully that I be relieved as the court-appointed attorney for the defendant Jorge Ortiz in the above-referenced matter. Your Honor's attention to and understanding of this request are, as always, greatly appreciated.

*granted
DAB
9/22/05*

Respectfully submitted,



Peter Enrique Quijano

SO ORDERED


DEBORAH A. BATTS *9/20/05*
UNITED STATES DISTRICT JUDGE